

REMARKS

The above amendments to the above-captioned application along with the following remarks are being submitted as a full and complete response to the Office Action dated September 19, 2007. In view of the above amendments and the following remarks, the Examiner is respectfully requested to give due reconsideration to this application, to indicate the allowability of the claims, and to pass this case to issue.

Status of the Claims

As outlined above, claims 1-4, 6-13, and 16-21 stand for consideration in this application, wherein claims 5 and 14-15 are being canceled without prejudice or disclaimer, while claims 1, 4, 6, 9, 12, 13, and 17-20 are being amended. In addition, new claim 21 is hereby submitted for consideration.

Additional Amendments

The specification is being amended as suggested by the Examiner. All amendments to the application are fully supported therein, including paragraphs [0007], [0045], [0049], and [0057] of the specification. Applicants hereby submit that no new matter is being introduced into the application through the submission of this response.

Prior Art Rejections

35 U.S.C. §102(b) Rejections

Each of claims 1-3, 5-11, and 14-20 was rejected under 35 U.S.C. §102(b) as being anticipated by Bullock et al. (U.S. Patent No. 5,170,609). As mentioned above, claims 5, 14, and 15 are being cancelled, and the elements of claims 5, 14, and 15 are now incorporated with claim 1. Applicants respectfully traverse the rejection of claims 1-3, 6-11, and 16-20 for the reasons set forth below.

According to the M.P.E.P. §2131, a claim is anticipated under 35 U.S.C. §102 (a), (b), and (e) only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.

Claim 1

Claim 1 as amended recites that a packaging apparatus, comprises: a charging device for charging a granular object into a storage bag having an open end, the granular object

being constituted to adsorb a gas; an air removing device for expelling air from the storage bag into which the granular object has been charged; a sealing device for sealing the open end of the storage bag from which the air has been expelled; and a heating device for heating the granular object before the storage bag is sealed, wherein the sealing device is actuated with a slight delay after the air has been expelled from the storage bag by the air removing device.

Claim 1 is directed to a package apparatus for producing a package of a granular object constituted to adsorb a gas. The granular object constituted to adsorb a gas emits a gas when the temperature of the granular object is increased. The apparatus as recited in claim 1 comprises a heating device for heating the granular object before the storage bag is sealed. The granular object constituted to adsorb a gas is heated before the storage bag is sealed, and then, the storage bag is sealed after expelling a gas in the storage bag. Because the granular object already emits a gas and the gas emitted by the granular object is expelled before the storage bag is sealed, the storage bag is not expanded even if the temperature is increased after the storage bag is sealed.

In contrast, Bullock merely shows a deflator for expelling excess air from packages. The Examiner did not show the basis for Bullock's showing a heating device for heating the granular object before the packages are sealed. Indeed, Bullock says nothing about a heating device for heating the granular object before the packages are sealed. In Bullock, a contained product 55 in the package 27b is not constituted to adsorb a gas. Bullock does not show or suggest the problem that the package may expand if the temperature of the contained product is increased after the package is sealed. Thus, Bullock's apparatus does not need to comprise a heating device for heating the contained product before the package is sealed.

Therefore, Bullock does not show every element recited in claim 1. Accordingly, claim 1 is not anticipated by Bullock.

Claim 6

Claim 6 as amended recites that a packaging apparatus, comprises: a sealing device for sealing a tube transversely at a first position; a hopper for storing a granular object constituted to adsorb a gas, the hopper having a heating device for heating the granular object stored in the hopper; a charging device for charging the heated granular object into the tube sealed at the first position; and a pinching device for pinching the tube into which the granular object has been charged, wherein the tube is sealed transversely at a second position

opposite the first position with respect to the pinched part, and wherein the sealing device is actuated with a slight delay after the pinching device has been actuated.

In contrast, Bullock does not show or suggest a hopper for storing a granular object constituted to adsorb a gas not the hopper having a heating device for heating the granular object stored in the hopper.

Therefore, Bullock does not show every element recited in claim 6. Accordingly, claim 6 is not anticipated by Bullock.

Claims 2-3, 7-11, 16-20

As to dependent claims 2-3, 7-11, and 16-20, the arguments set forth above with respect to independent claims 1 and 6 are equally applicable here. The corresponding base claim being allowable, claims 2-3, 6-11, and 16-20 must also be allowable.

35 U.S.C. §103(a) Rejections

Claims 4, 12, and 13 were rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Bullock in view of Cullen (U.S. Patent No. 3,990,872). These rejections are respectfully traversed for the reasons set forth below.

As set forth above, Bullock fails to teach all the elements recited in claim 1, from which claims 4, 12, and 13 depend. The secondary reference of Cullen fails to provide any disclosure, teaching or suggestion that makes up for the deficiencies in Bullock. Therefore, at the time the invention was made, one of ordinary skill in the art could not and would not achieve all the features as recited in claim 1, from which claims 4, 12, and 13 depend, based on knowledge of Bullock and Cullen. Accordingly, claims 4, 12, and 13 are not obvious in view of all the prior art cited.

Conclusion

In light of the Amendments and Remarks, Applicants respectfully request early and favorable action with regard to the present application, and a Notice of Allowance for all pending claims is earnestly solicited.

Favorable reconsideration of this application as amended is respectfully solicited. Should there be any outstanding issues requiring discussion that would further the prosecution and allowance of the above-captioned application, the Examiner is invited to contact the Applicants' undersigned representative at the address and telephone number indicated below.

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